

Order

**Supreme Court
Lansing, Michigan**

September 21, 2005

Clifford W. Taylor,
Chief Justice

128040 & (50)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 128040
COA: 249891
Wayne CC: 03-001951-01
03-001952-02

DEMOND ANTHONY HARRIS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the December 28, 2004 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court. The motion to remand is DENIED.

CAVANAGH and KELLY, JJ., would remand this case for a hearing pursuant to *People v Ginther*, 390 Mich 436 (1973).



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I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 21, 2005

Corbin R. Davis

Clerk